

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application: Taylor et al.

Serial No.: 10/038,405

Filed: January 3, 2002

For: Method and Apparatus for
Optimizing a Security Database for a
Self-Service Checkout System

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Group Art Unit: 3714

Examiner: Laneau, Ronald

Attorney Docket No.: RPS920050806US1

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

39698

PATENT TRADEMARK OFFICE
CUSTOMER NUMBER

REQUEST FOR RECONSIDERATION OF
PETITION UNDER 37 C.F.R. §1.47(b)

The Assignee requests that the declaration entitled "METHOD AND APPARATUS FOR OPTIMIZING A SECURITY DATABASE FOR A SELF-SERVICE CHECKOUT SYSTEM" be accepted without the signature of John Allard on the replacement Declaration, filed herewith. One of the inventors, John Allard, refused to re-execute the application for patent after diligent efforts made by Assignee and their representatives. The last known address of John Allard is 1366 SW 4th Court, Boca Raton, Florida 33432. The signature of his co-inventor, Mr. Brian David Taylor, was obtained.

Mr. Allard signed the original Oath and Declaration on April 29, 2002, a copy of which is attached. The statement language used in that Declaration has since been considered incorrect under 37 CFR 1.56. Mr. Allard was contacted by Jason Piche, counsel for IBM, to re-execute a replacement Oath and Declaration, but he refused. Diligent efforts to obtain the signature of John Allard were also made by Assignee's representative, per the Affidavit attached. These efforts resulted in Mr. Allard refusing to sign the declaration for this application.

Adjustment date: 01/14/2008 CKHLOK
11/21/2007 INTEFSW 00002352 500563 10038405
01 FC:1463 200.00 CR

01/14/2008 CKHLOK 00000003 500563 10038405
01 FC:1462 400.00 DA

It is respectfully requested that the replacement declaration be accepted without the signature of John Allard.

A fee of \$200.00 is required for Petitions as set forth in 37 CFR 1.17(g). Please charge this fee to IBM Corporation Deposit Account No. 50-0563. No additional fees are believed to be necessary. If, however, any additional fees are required, I authorize the Commissioner to charge these fees which may be required to IBM Corporation Deposit Account No. 50-0563. No extension of time is believed to be necessary. If, however, an extension of time is required, the extension is requested, and I authorize the Commissioner to charge any fees for this extension to IBM Corporation Deposit Account No. 50-0563.

Date: November 20, 2007

Respectfully submitted,

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